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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,935	11/21/2003	Yang Hwan No	K-0553	7540

34610 7590 10/30/2006

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EXAMINER

PATEL, RITA RAMESH

ART UNIT	PAPER NUMBER
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1746

DATE MAILED: 10/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/717,935	Applicant(s) NO ET AL.	
	Examiner Rita R. Patel	Art Unit 1746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 4-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Applicant's Remarks / Amendments

This Office Action is responsive to the amendment filed on 8/17/06. Claims 2 and 3 have been canceled and claims 19-23 have been added. Claims 1 and 4-23 are pending. Claims 1, 4-10, and 13-18 have been amended. Applicant's arguments have been considered, but are not persuasive.

Thus, claims 1 and 4-23 are finally rejected for the reasons of record.

Prior objection over claim 6 has been overcome due to applicant's amendments filed 8/17/06.

Prior rejection under 35 U.S.C. 112, second paragraph, on claims 9 and 15-17 have been overcome due to applicant's amendments filed 8/17/06.

Applicant's remarks re 35 USC § 102(b) and 35 USC § 103(a) rejections over Zahn (US Patent No. 6,354,115) and Ito (US Patent No. 6,564,594) are moot due to new art rejections applied over pending claims in response to applicant's amendments. See 35 USC § 112 and 35 USC § 102(e) rejections herein.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 14-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 14 includes the following limitation in lines 2-3 of said claim, "at least one second rib configured to prevent water from accessing a heater installed in the tub". This limitation requires "configured to" language which is indefinite in particularly claiming the subject matter of the invention; given the broadest reasonable interpretation such a rib can read on a material that is waterproof and/or able to repel water therefrom, such that one of ordinary skill in the art would understand conventional materials like plastic or metal for such a rib to fulfill these functions, otherwise the drum would leak. In Figure 2 of applicant's drawings, rib 100(102) and heater 70 are depicted, however, the heater is located in between the tub and the rotatable drum, thus the heater warms up water that falls within the cavity between the tub and drum; in Figure 2 the heater is not configured in relation to rib 100(102) in a manner that prevents water from accessing it because it is located *within* the tub and water travels throughout the tub. It is unclear with respect to applicant's claims how rib 100(102) is configured to prevent water from accessing the heater, when the heater is located in the tub which receives water; the rib 100(102) is solely located on the left-hand side of the heater in applicant's Figure 2 and does not prevent all water from accessing the heater.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 4-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Broker et al. herein referred to as "Broker" (US 2003/0051296 A1).

Broker teaches a washing machine with an outer cabinet shell 5 (housing); outer tub 25 (tub); inner tub 12 (drum); spinner pulley 118 with an outer peripheral surface 120 (protecting member). Although Broker does not illustrate a motor in the figures, Broker teaches that a reversible electric motor is mounted within cabinet shell 5 and adapted to drive inner tub 12 during washing/rinsing cycles (Paragraph [0014]). Spinner pulley 118 includes an outer peripheral surface 120 which is adapted to be connected to a belt driven in a controlled fashion by the reversible motor during operation (Paragraph [0018]); therefore the motor is installed at a rear side of the tub. This reads on applicant's claims for a protecting member configured to at least partially enclose an electrical component such as the motor. The spinner pulley 118, as shown in Figure 2, includes ribs that are formed by leaf-shaped openings radially fashioned about its surface; these ribs are proximate/disposed over the motor. The spinner pulley 118 is

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curved in a way that extends outward from an outer surface of the tub which is proximate the motor; in Figure 2 the spinner pulley has a predetermined curvature.

Broker further discloses a heater 170 constituting a sheathed electric heating element 182 having a terminal electrical connectors 183 and 184; electrical connectors 183 and 184 project through a gasket 185 and a mounting plate 186. Broker's mounting plate 186 and gasket 185 arrangement reads on applicant's claim for a pair of second ribs configured to prevent water from accessing a heater installed within the tub. See Figure 3 and 4.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rita R. Patel whose telephone number is (571) 272-8701. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RRP



MICHAEL BARR
SUPERVISORY PATENT EXAMINER